



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

of the forestry department, the development of mines and water-powers under State enterprise, and all for the purpose of protecting the people of the State against the concentration of wealth and for the meeting and solution of the unemployed problem.

One of the leading attorneys of the State, who is also a member of the social-democratic party, has prepared nearly thirty bills, aiming to remedy various legal iniquities and hardships of poorer people especially, as well as certain antiquated or unjust matters of court procedure. These bills have been introduced "by request," and the attorney is furnishing briefs for the bills as they come up. Most of them are looked upon with favor by the best attorneys in the legislature, and many of them will also doubtless pass.

Of the strictly party and labor bills, it may be said that they indicate a policy substantially as follows:

1. To democratize the processes of the State government as such, by direct legislation, and by home rule for local units of government.
2. To loosen the hands of the State as regards the undertaking of industrial and other enterprises.
3. To progressively substitute the policy of ownership by the people and direct operation, for the present policy of regulation for the benefit of the owners, in the matter of public utilities.
4. To shorten the hours, improve the conditions, and increase the wages of labor, while progressively eliminating child labor.
5. In general to substitute intelligent and planful social processes for sumptuary legislation in the matter of social evils and abuse.

WINFIELD R. GAYLORD.

**Stream Pollution.** The growth of population and development of urban life has drawn the attention of the people sharply to the dangerous conditions arising from the pollution of streams by sewage and by the waste from manufacturing establishments. Public health authorities have sounded the warning against this new danger to the public health. Conferences have been held by health officials to discuss this important problem, and a body of literature contained in official reports has developed. Formerly this was purely a municipal problem and was dealt with by the city authorities. Their problem was solved generally when means were provided for dumping their sewage into a stream which thus became a natural sewer. This means of disposal was sufficient until cities became so numerous or so large that the sewage of one

polluted the water supply of another. The famous case involving the discharge of sewage by the city of Chicago into the drainage canal and thence into the Illinois and Mississippi, which polluted the water supply of St. Louis, was instructive on this point and drew attention sharply to the subject.

The problem is complicated by conditions which prevent complete relief. It is impossible to enforce a change of methods when such change involves an expenditure of money by a municipality or by a manufacturing plant in order to comply with the law, which would be beyond the reasonable ability of the municipality or company to pay. Thus a city which has already established a system to convey its sewage into a stream might be embarrassed if it were compelled to abandon it and establish an expensive sewage disposal plant. A manufacturing concern might by the same means be compelled to reestablish its plant at an expense which would be confiscatory. Yet it is a well settled doctrine that the riparian owners below have a right to have the water of a stream come to them in its ordinary pure condition. Just as riparian owners are not allowed to divert the water of a stream to an extent greater than for their ordinary needs, so are they prohibited from polluting it unreasonably to the detriment of owners below. Among the States which have attempted to deal with this problem are, Pennsylvania, Massachusetts, Ohio, Montana, New York and Indiana. The provisions of the laws of these States are in general made applicable to future construction and have not produced practical results. In New York, Governor Hughes recently called attention to the conditions resulting from stream pollution. In his message of January 6, 1909, he said that the present laws were inadequate and should be revised. "So far as sewage is concerned" he said, "we should have legislation under which local communities may be compelled without undue delay to make provisions for suitable disposal." In the case of industrial wastes he contends that "where there are processes for disposal which are not prohibitive in cost their adoption should be insisted upon and in other cases if it is not deemed advisable to impose restriction we should at least provide for proper experimentation under State authority in order that as soon as possible means may be devised for complete protection of our streams from pollution without industrial dislocation." He asked for legislation to remedy what he called the makeshift law of 1903 and to give power and means to the State board of health to conduct researches into the problem. Likewise Governor Pothier of Rhode Island emphasized the need of relief by immediate action where possible and investigation

for permanent relief in other cases, and Governor Stuart of Pennsylvania in his message commends the efforts made in that State to rid the streams of pollution by the coöperation of municipalities and the State health authorities to that end.

Indiana in the recent session of the general assembly passed a law which follows in general the lines laid down in the statutes of Ohio, New York and Pennsylvania: the law is largely for the prevention of the growth of the evil, though in certain cases power is given to the State board of health to prevent stream pollution when the same becomes dangerous to the public health. The power granted in this law is lodged in the State board of health. Complaint may be made by the common council or board of health of any city or town, or by the board of county commissioners, or township trustees to the State board of health, that any municipality, person, or corporation is befouling the waters of a stream to the detriment of the public, and after a public hearing the State board of health may order such changes as will prevent further pollution, giving a reasonable time for complying with the order unless the stream polluted is a public water supply, in which case the order shall take effect at once. From the decision of the State board of health, any party aggrieved may appeal and have a further hearing before a board of sanitary engineers, appointed in each case for the purpose. A further appeal lies to the courts as to the necessity and reasonableness of the order of the State board of health. Power is also given to the State board of health to investigate the water supply of any city or town on complaint setting forth that the water supply is contaminated and the board may issue such corrective orders as may be necessary. The law is an advance over the laws heretofore enacted. It clothes the State board of health with important powers, and with coöperation the board should be able to materially lessen the evil.

JOHN A. LAPP.

### **Taxation—Constitutional Provisions—Adopted and Rejected in 1908.**

At the last general election some nineteen proposed constitutional amendments relating to taxation were voted on and only the five following received the approval of the people: in Missouri one relating to taxation for highway purposes; in Texas one levying a tax for school purposes; in Wisconsin one for an income tax, and one for a levy for the construction and improvement of highways; and in Louisiana one for the exemption of mortgages.

California refused to provide for the separation of the sources of State